

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NATIONAL TPS ALLIANCE, DENIS
MOLINA, JHONY SILVA, MARIA ELENA
HERNANDEZ, O.C., SANDHYA LAMA, S.K.,
and TEOFILO MARTINEZ,

Plaintiffs,

vs.

KRISTI NOEM, in her official capacity as
Secretary of Homeland Security, UNITED
STATES DEPARTMENT OF HOMELAND
SECURITY, and UNITED STATES OF
AMERICA,

Defendants.

Case No. 25-cv-05687-TLT

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR PARTIAL
SUMMARY JUDGMENT**

1 On August 25, 2025, Plaintiffs moved for partial summary judgment pursuant to 5 U.S.C.
2 section 706 to set aside the terminations of TPS for Honduras, Nepal, and Nicaragua. After
3 consideration of the briefs and arguments of counsel, the evidence filed in support of and in
4 opposition to Plaintiffs' Motion, and being fully advised, the Court finds that Plaintiffs have
5 demonstrated that there is no genuine dispute of material fact and that they are entitled to judgment
6 as a matter of law as to each challenged agency action.

7 This Court concludes Defendants' termination of TPS for Honduras, Nepal, and Nicaragua
8 was unlawful and should be set aside because Defendants violated Section 706 of the APA by
9 arbitrarily and capriciously failing to acknowledge or explain their departure from two decades of
10 unbroken agency practice of providing at least a six-month orderly transition period when
11 terminating a TPS designation.

12 Accordingly, it is HEREBY ORDERED:

13 1. Plaintiffs' Motion for Partial Summary Judgment is GRANTED. Defendants' terminations
14 of TPS for Honduras, Nepal, and Nicaragua are hereby SET ASIDE.

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16 SO ORDERED.

17 Date: _____, 2025

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19 The Honorable
20 UNITED STATES DISTRICT JUDGE
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